

REMARKS:

In the outstanding Final Office Action, claims 1, 3-6, 15-19 and 21-26 were rejected. Claims 1, 6, 18, 19 and 21 have been amended. Claims 2, 7-14 and 20 remain cancelled. Thus, claims 1, 3-6, 15-19 and 21-26 are pending and under consideration. No new matter has been added. The rejections are traversed below.

REJECTION UNDER 35 U.S.C. §102(b):

Claims 1, 3, 4, 6, 15, 16, 18 and 19 are rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,642,410 ('410).

'410 discusses a rule-based computer telephone integration system for executing call routines by retrieving application program data based on established precedential rules in response to transmitted call information.

The present invention is directed to automatically selecting functions of an apparatus and/or information stored in the apparatus based on use situations of the apparatus.

The Examiner seems to compare the '410 rule-based computer telephone integration system for executing established precedential rules in response to transmitted call information with the present invention. The '410 system merely proposes a call processor operable on a computer including routines for uniformly establishing precedential rules for retrieving application program data based on call information and for automatically executing the established precedential rules in response to transmitted call information (see, abstract and column 2, lines 46-51 of '410). In '410, the data (or information) in the computer is retrievable in response to a trigger from the telephone system, and the mode of the computer can be switched in response to the trigger from the telephone system to retrieve the data and/or switch the mode (see, column 6, lines 35-40 and column 7, lines 15-47 of '410).

Independent claims 1, 6, 18 and 19 as amended recite, "managing functions of the apparatus and/or information stored in the apparatus in a manner linked to a plurality of using situations of the apparatus". The '410 system does not teach or suggest, "managing functions of the apparatus and/or information stored in the apparatus in a manner linked to a plurality of using situations of the apparatus", instead, the '410 system is limited to retrieving data and switching mode of the computer responsive to a trigger from the telephone system. And this is in contrast to the present invention where the managing and storage is linked or triggered by the use situations of the apparatus itself.

Independent claim 1 as amended also recites, "a switch configured to set a using situation of the apparatus to a business mode for business use or a private mode for personal use" and "a control part configured to automatically select a function of the apparatus and/or information stored in the apparatus from the managing part depending on the using situation set by the switch and to make the selected function and/or information of the apparatus usable by a user".

Similarly, independent claim 18 as amended recites, "automatically selecting a function of the information terminal equipment and/or information stored in the information terminal equipment ... depending on a using situation of the information terminal equipment related to business use or personal use as identified by a switch, and making the selected function and/or information of the information terminal equipment usable by a user". Accordingly, the present invention automatically selects a function and/or information of the apparatus depending on the using situation of the apparatus set by the switch. This is unlike the '410 system that selects a function (or mode) and/or information (or data) of the computer depending on the trigger from the telephone system.

Independent claims 6 and 19 recite that the present invention detects "a using situation of the apparatus based on information selected from an electronic mail address received from another party" and "automatically select a function and/or information of the apparatus depending on the using situation detected to make the selected function and/or information of the apparatus usable by a user" (information terminal equipment in claim 19). This means that the present invention automatically selects a function and/or information of the apparatus (or an information terminal equipment) in accordance with using situation of the apparatus (or the information terminal equipment) detected. This is unlike the '410 system that selects a function (mode) and/or information (data) of the computer depending on the trigger from the telephone system. Further, '410 fails to teach or suggest "detecting a using situation of the apparatus based on information selected from at least one of an electronic mail address received from another party, an electronic mail address transmitted to another party, position information indicating a position of the apparatus, and mode information indicating an operation mode of the apparatus", as recited in claims 6 and 19.

For at least the above-mentioned reasons, claims depending from independent claims 1, 6 and 18 are patentably distinguishable over '410. The dependent claims are also independently patentable. For example, as recited in claim 3, the present invention "determines

an accounting destination depending on whether the using situation is the business mode or the private mode". The '410 system does not teach or suggest, setting "a using situation of the apparatus to a business mode for business use or a private use for personal use based on a detected use situation" (claim 1) where the apparatus determines "an accounting destination depending on whether the using situation is the business mode or the private mode".

Therefore, withdrawal of the rejection is respectfully requested.

REJECTION UNDER 35 U.S.C. §103(a):

Claims 5 and 17 are rejected under 35 U.S.C. §103(a) as being unpatentable over '410 and further in view of U.S. Patent No. 6,047,062 ('062). Claims 21-26 are rejected under 35 U.S.C. §103(a) as being unpatentable over '410 in view of U.S. Patent No. 6,477,374 ('374).

For at least the above-mentioned reasons, the Applicants respectfully assert that dependent claims 5 and 17 (dependent of claims 1 and 6) are allowable.

Moreover, the '062 system is limited to updating information stored in a database used in a telephone system by extracting a calling party's name and telephone number and comparing the same with a stored number for updating the stored number to match the extracted telephone number. For example, an incoming ringing signal is monitored and the calling party's name and telephone number is extracted (see, column 2, lines 23-26 of '062) and the extracted number is compared with a stored number and if the two do not match, it is assumed that the calling parting has changed his or her number and updates the stored number to be consistent with the extracted number (see, column 2, lines 27-33 of '062).

Dependent claims 5 and 17 recite that the managing part of the present invention "automatically adds to the database data which depend on the using situation and are not included in the database" (claims 5 and 17) and manages "functions of the apparatus and/or information stored in the apparatus in a manner linked to a plurality of using situations of the apparatus" (claims 1 and 6 upon which claims 5 and 17 depend, respectively). This is unlike the '062 system that updates information stored in a database used in a telephone system.

The Examiner acknowledges that the '410 apparatus does not specify detecting using situation based upon time and position information, and thus, relies on the '374 as teaching the same. '374 discusses using a user's input calendar of future time-location associations to predict patterns of usage of a wireless communication device for monitoring a location of the wireless communication device when a call is made or received (see, column 6, lines 28-37 of

'374). Then, based on the monitored location, the '374 system accesses the database and predicts a future location of the wireless communication device to determine whether to switch from one network to another (see, column 6, lines 37-40 of '374). This means that '374 is limited to a telecommunications system that uses time and position information.

Independent claim 21 as amended recites, "a switch indicating one of a business mode for business use and a private mode for personal use, of the apparatus, based on the time of day" and "a control unit automatically selecting at least one of a function of the apparatus, and making the at least one of function and information of the apparatus selected usable by a user". Accordingly, the combination of '410 and '374, fails to teach or suggest, "indicating one of a business mode for business use and a private mode for personal use of the apparatus based on the time of day" and "automatically selecting at least one of a function of the apparatus, and making the at least one of function and information of the apparatus selected usable by a user", as recited in claim 21.

For at least the above-mentioned reasons, claims depending from independent claim 21 are patentably distinguishable over the combination of '410 and '374. The dependent claims are also independently patentable.

Accordingly, withdrawal of the rejection is respectfully requested.

CONCLUSION:

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

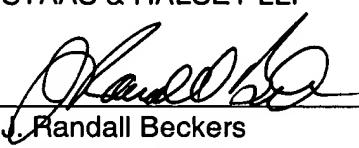
Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with the filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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